

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

SERTA SIMMONS BEDDING, LLC, et al.,

Debtors,

Chapter 11

Case No. 23-90020 (DRJ)
(Jointly Administered)

SERTA SIMMONS BEDDING, LLC, et al.,

Plaintiffs and Counterclaim Defendants,

v.

AG CENTRE STREET PARTNERSHIP L.P., et al.,

Defendants, Counterclaim Plaintiffs and Third-
Party Plaintiffs,

v.

AGF FLOATING RATE INCOME FUND, et al.,

Third-Party Defendants.

Adversary Proc. No. 23-09001 (DRJ)

JOINT NOTICE OF APPEAL

Part 1: Identity of the Appellants

1. Names of the appellants: AG Centre Street Partnership L.P., AG Credit Solutions Non-ECI Master Fund, L.P., AG Super Fund Master, L.P., AG SF Master (L), L.P., Silver Oak Capital, L.L.C., Ascribe III Investments, LLC, Columbia Cent CLO 21 Limited, Columbia Cent CLO 27 Limited, Columbia Floating Rate Fund, a series of Columbia Funds Series Trust II, Columbia Strategic Income Fund, a series of Columbia Funds Series Trust I, Contrarian Capital Fund I, L.P., Contrarian Distressed Debt Fund, L.P., Contrarian Centre Street Partnership, L.P., Gamut Capital SSB, LLC, North Star Debt Holdings, L.P., Shackleton 2013-III CLO, Ltd., Shackleton 2013-IV-R CLO, Ltd., Shackleton 2014-V-R CLO, Ltd., Shackleton 2015-VII-R CLO, Ltd., Shackleton 2017-XI CLO, Ltd., Z Capital Credit Partners CLO 2018-1 Ltd., and Z Capital Credit Partners CLO 2019-1 Ltd. (collectively, the “Excluded Lenders”).
2. Position of appellants in the adversary proceeding that is the subject of this appeal: Defendants, Counterclaim Plaintiffs, and Third-Party Plaintiffs.

Part 2: Identify the subject of this appeal

1. Describe the judgment, order, or decree appealed from:

Order on Summary Judgment, ECF No. 141¹

2. State the date on which the judgment, order, or decree was entered: April 6, 2023

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

1. Excluded Lenders Appellants

**FRIEDMAN KAPLAN SEILER ADELMAN &
ROBBINS LLP**

Lawrence S. Robbins*

Eric Seiler*

Anne E. Beaumont*

Elizabeth Bierut*

Jamuna D. Kelley*

Blair R. Albom*

7 Times Square

New York, NY 11036-6516

(212) 833-1100

lrobbins@fklaw.com

eseiler@fklaw.com

abeaumont@fklaw.com

ebierut@fklaw.com

jkelley@fklaw.com

balbom@fklaw.com

Attorneys for the Excluded Lenders

-and-

**PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP**

Kenneth S. Ziman*

Brian S. Hermann*

Lewis R. Clayton*

¹ The Bankruptcy Court entered the same order twice, first at ECF No. 141, and then again minutes later at ECF No. 142. Because the two entries are duplicative, the Excluded Lender Appellants list only the first-in-time entry in Part 2 above. For the avoidance of doubt, the Excluded Lender Appellants intend to appeal from the Bankruptcy Court's Order on Summary Judgment, regardless of which docket entry is deemed controlling.

Andrew J. Ehrlich*
Michael J. Colarossi*
Robert J. O'Loughlin*
Sarah J. Prostko*
Jackson Yates*
1285 Avenue of the Americas
New York, NY 10019
(212) 373-3000
kziman@paulweiss.com
bhermann@paulweiss.com
lclayton@paulweiss.com
aehrich@paulweiss.com
mcolarossi@paulweiss.com
roloughlin@paulweiss.com
sprostko@paulweiss.com
jyates@paulweiss.com

*Attorneys for the Excluded
Lenders with respect to Plaintiffs'
Claims and Counterclaims Only*

-and-

PORTER HEDGES LLP
John F. Higgins (TX 09597500)
M. Shane Johnson (TX 24083263)
Megan N. Young-John (TX 24088700)
1000 Main Street, 36th Floor
Houston, TX 77002
(713) 226-6000
jhiggins@porterhedges.com
sjohnson@porterhedges.com
myoung-john@porterhedges.com

*Attorneys for the Excluded
Lenders with respect to Plaintiffs'
Claims and Counterclaims Only*

**admitted pro hac vice*

2. Appellee: Serta Simmons Bedding, LLC

WEIL, GOTSHAL & MANGES LLP
Ray C. Schrock (admitted *pro hac vice*)
David J. Lender (admitted *pro hac vice*)
Alexander W. Welch (admitted *pro hac vice*)

Luna N. Barrington (admitted *pro hac vice*)
Richard D. Gage (admitted *pro hac vice*)
Taylor B. Dougherty (admitted *pro hac vice*)
Joseph R. Rausch (admitted *pro hac vice*)
Michael P. Goodyear (admitted *pro hac vice*)
Nicholas J. Reade (admitted *pro hac vice*)
767 Fifth Avenue
New York, NY 10153
Tel: (212) 310-8000
Fax: (212) 310-8007
Email: Ray.Schrock@weil.com
David.Lender@weil.com
Alexander.Welch@weil.com
Luna.Barrington@weil.com
Richard.Gage@weil.com
Taylor.Dougherty@weil.com
Joseph.Rausch@weil.com
Michael.Goodyear@weil.com
Nick.Reade@weil.com

-and-

Gabriel A. Morgan
Stephanie N. Morrison
700 Louisiana Street, Suite 1700
Houston, TX 77002
Tel: (713) 546-5040
Fax: (713) 224-9511
Email: Gabriel.Morgan@weil.com
Stephanie.Morrison@weil.com

3. Appellees:

Barings LLC
Boston Management and Research
Credit Suisse Asset Management, LLC
Eaton Vance Management
Invesco Senior Secured Management, Inc.

GIBSON, DUNN & CRUTCHER LLP

Gregg Costa (24028160)
811 Main Street, Suite 3000
Houston, TX 77002
Telephone: (346) 718-6600
Facsimile: (346) 718-6620
Email: gcosta@gibsondunn.com

-and-

Orin Snyder (admitted pro hac vice)
Amanda M. Aycock (admitted pro hac vice)
C. Lee Wilson (admitted hac vice)
Akiva Shapiro (admitted pro hac vice)
200 Park Avenue
New York, NY 10166
Tel: (212) 351-4000
Fax: (212) 351-4035
Email: osnyder@gibsondunn.com
aaycock@gibsondunn.com
clwilson@gibsondunn.com
ashapiro@gibsondunn.com

-and-

Helgi C. Walker (admitted pro hac vice)
1050 Connecticut Avenue N.W.
Washington, DC 20036
Tel: (202) 955-8500
Fax: (202) 467-0539
Email: hwalker@gibsondunn.com

-and-

JACKSON WALKER LLP

Bruce J Ruzinsky
1401 McKinney Street, Suite 1900
Houston, TX 77010
713-752-4200
713-308-4184 (fax)
Email: bruzinsky@jw.com

4. Other Interested Parties: LCM XXII LTD., LCM XXIII LTD., LCM XXIV Ltd., LCM XXV LTD., LCM 26 LTD., LCM 27 LTD., and LCM 28 LTD.

HOLWELL SHUSTER & GOLDBERG LLP

Michael Shuster (admitted *pro hac vice*)
Vincent Levy (admitted *pro hac vice*)
Neil R. Lieberman (admitted *pro hac vice*)
Alison B. Miller (admitted *pro hac vice*)
Brian T. Goldman (admitted *pro hac vice*)
Patrick J. Woods (admitted *pro hac vice*)
425 Lexington Avenue
New York, New York 10017
Email: mshuster@hsgllp.com
vlevy@hsgllp.com
nlieberman@hsgllp.com
amiller@hsgllp.com
bgoldman@hsgllp.com

pwoods@hsgllp.com

-and-

McKool SMITH, PC

John J. Sparacino (SBN 18873700)

S. Margie Venus (SBN 20545900)

Regan S. Jones (SBN 24110060)

600 Travis Street, Suite 7000

Houston, Texas 77002

Telephone: (713) 485-7300

Facsimile (713) 485-7344

Email: jsparacino@mckoolsmith.com

mvenus@mckoolsmith.com

rjones@mckoolsmith.com

Dated: April 7, 2023
Houston, Texas

Respectfully submitted,

PORTER HEDGES LLP

/s/ John F. Higgins

John F. Higgins (TX 09597500)

M. Shane Johnson (TX 24083263)

Megan N. Young-John (TX 24088700)

1000 Main Street, 36th Floor

Houston, TX 77002

(713) 226-6000

jhiggins@porterhedges.com

sjohnson@porterhedges.com

myoung-john@porterhedges.com

*Attorneys for the Excluded Lenders with respect to
Plaintiffs' Claims and Counterclaims Only*

-and -

Kenneth S. Ziman*

Brian S. Hermann*

Lewis R. Clayton*

Andrew J. Ehrlich*

Michael J. Colarossi*

Robert J. O'Loughlin*

Sarah J. Prostko*

Jackson Yates*

**PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP**

1285 Avenue of the Americas New York, NY 10019

(212) 373-3000

kziman@paulweiss.com

bhermann@paulweiss.com

lclayton@paulweiss.com

aehrlich@paulweiss.com

mcolarossi@paulweiss.com

roloughlin@paulweiss.com

sprostko@paulweiss.com

jyates@paulweiss.com

*Attorneys for the Excluded Lenders with respect to
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-and -

Lawrence S. Robbins*

Eric Seiler*

Anne E. Beaumont*

Elizabeth Bierut*

Jamuna D. Kelley*

Blair R. Albom*

**FRIEDMAN KAPLAN SEILER ADELMAN &
ROBBINS LLP**

7 Times Square

New York, NY 11036-6516

(212) 833-1100

lrobbins@fklaw.com

eseiler@fklaw.com

abeaumont@fklaw.com

ebierut@fklaw.com

jkelley@fklaw.com

balbom@fklaw.com

Attorneys for the Excluded Lenders

**admitted pro hac vice*

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Notice of Appeal and Statement of Election was served by electronic delivery on all persons and entities receiving ECF notice on April 7, 2023.

/s/ M. Shane Johnson
M. Shane Johnson